

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JEFFREY A. SCHERER,

Petitioner,

Case No. 1:08cv615

v.

Hon. Robert J. Jonker

COMMISSIONER OF SOCIAL SECURITY,

Respondent.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 17, 2009 . No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed June 17, 2009 , is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED that the Commissioner's decision is REVERSED and REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Commissioner should re-evaluate plaintiff's ability to perform light work, and determine the subsequent outcome accordingly.

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/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE

DATED: July 10, 2009.